

Application No.: 10/614,621
Amendment Dated: March 15, 2007
Reply to Office Action of: December 15, 2006

MTS-3282US1

Remarks/Arguments:

Preliminary Matters

Claims 34-47, 53-63, and 83-89 are pending in the above-identified application. By this Amendment, claims 34-47, 53-59, 61-63, and 88-89 are amended. Support may be found throughout the originally filed specification. For example, see page 63, first full paragraph; page 72, second and third full paragraph; and Figures 1-2 (item 2), 7-10 (item 2002), 21 (item 3002), 24 (item 3002), 26-27 (item 3002), and 29 (item 4002). Applicants submit that no new matter is added. Reconsideration is respectfully requested in view of the above amendments and the following remarks.

Objection to the Claims

Claim 63 was objected to reasons stated on page 3 of the Office Action. This ground for objection is overcome by the amendment to claim 63 according to the Examiner's suggestion.

Claim Rejections Under 35 U.S.C. § 112

Claims 38, 40-47, 53-59, 61-62 were rejected under 35 U.S.C. § 112 for reasons stated on page 3 and 4 of the Office Action. This ground for rejection is overcome by the amendments to claims 38, 40-47, 53-59, and 61-62.

Claim Rejections Under 35 U.S.C. § 102(e)

Claims 34-47, 53-63, and 83-89 were rejected under 35 U.S.C. § 102(e) as being anticipated by Schulze et al. (6,443,890) for reasons stated on page 5. This ground for rejection is overcome by the amendment to claim 34.

Applicants' invention, as defined in claim 34, recites features that are neither disclosed nor suggested by Schulze. In particular, Schulze does not disclose or suggest:

...a wearable personal information terminal for a selected human body including...posture/action detecting means of detecting the inclination and movement of the selected human body...

Claim 34 concerns a state information detection and transmission apparatus. The apparatus includes a physiological information detecting means, a transmitting means for transmitting detected physiological information of a selected human body, and a wearable personal information terminal. The wearable personal information terminal includes a receiving means that receives detected physiological information of the selected human body from the transmitting means. The wearable terminal also includes a posture/action detecting means that detects the inclination and movement of the selected body. A sending means of the wearable terminal sends the received physiological information of the selected human body to a base station.

Schulze concerns a device and method for monitoring a patient's physiological data via a patient worn monitoring device. Schulze, however, does not disclose that the device includes a "posture/action detecting means of detecting the inclination and movement of the selected human body" as recited in claim 34. Instead, Schulze discloses that a patient worn device having biosensors within the device monitors physiological information such as blood oxygen saturation, pulse rate, and body temperature. The physiological information that is detected from biosensors in the patient worn monitoring device is then transmitted to a remote location.

Applicants' invention also differs from Schulze because on page 81, lines 15-17 of the specification (See FIG. 1), applicants disclose that the physiological information detecting means (item 19) is provided **separately** from the human body (item 1). For example, the physiological information detecting means 19 may be provided in a room of a building. Thus, the physiological information detecting means 19 which is separate from the human body 1 may detect physiological signals from one or more people in a room.

Applicants also disclose that a personal information terminal (FIG. 1, item 6) is worn by a human body 1. The personal information terminal 6 includes electrical components (items 2, 3, 5, 21, 23), built within the terminal 6 (as defined within the solid line of the terminal 6). If more than one person is in a room, detected physiological information for a specific person 1 may be transmitted to the terminal 6 worn by that specific person 1, for example, based on radio frequency identification (RFID) as disclosed on page 69, lines 7-25.

A component of the terminal 6, namely the posture/action detecting means 2 detects the movement and inclination of the specific person 1 wearing the terminal 6. Detected physiological information which is transmitted to the specific terminal 6 may then be processed with the posture/action information and re-transmitted from the terminal 6 to a base station 7.

The aspects of the invention embodied in claim 34 represent an advantage over systems such as those described in Schulze because applicants disclose on page 63, first full paragraph and page 73, second full paragraph, that the posture/action detecting means detects the posture, body motion, and motion state of the body and that if there has been no movement for a long time an alarm buzzer may call the person or an abnormal state signal may be transmitted.

Applicants further disclose on page 164, lines 7-18, and page 165, lines 11-21, that posture/action information can be compared with physiological information to permit various applications such as abnormality detection, air conditioning/illumination control, and security. Thus, the integration of information from selected human bodies in a plurality of rooms may be understood.

Since Schulze does not disclose "posture/action detecting means of detecting the inclination and movement of the selected human body" as recited in claim 34, applicants contend that amended claim 34 is allowable over this reference. Furthermore, since Schulze does not disclose that transmitted physiological information detected by the is received by a receiving means in the wearable personal information terminal. Accordingly, applicants respectfully request that the rejection of claim 34 be withdrawn.

Claims 35, 36, 37, 38, and 39 as amended, while not identical to claim 34, include features similar to claim 34. Accordingly, applicants submit that claims 35, 36, 37, 38, and 39 are allowable over the cited art for the reasons set forth above and withdrawal of the rejection of claims 35, 36, 37, 38, and 39 under 35 U.S.C. §102(e) in view of Schulze is respectfully requested.

Claims 40, 46, 47, 53, 55, 57, 83, and 84 include all the features of claim 34 from which they depend; claims 41, 54, 56, and 85 include all the features of claim 35 from which they depend; claims 42, 58, 60, 61-63, and 86 include all the features of claim 36 from which they depend; claims 43, 59, and 87 include all the

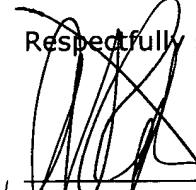
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features of claim 37 from which they depend; claims 44 and 48 include all the features of claim 38 from which they depend; and claims 45 and 89 include all the features of claim 39 from which they depend. Therefore, claims 40-47, 53-63, and 83-89 should also be allowed for at least the reason respective base claims are allowable. Thus, for the reasons set forth above, claims 34-47, 53-63, and 83-89 are patentable over Schulze. Withdrawal of the rejection under 35 U.S.C 102(e) is respectfully requested.

Conclusion

In view of the amendments and remarks set forth above, the above-identified application is in condition for allowance which Action is respectfully request.


Respectfully submitted,

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